

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0699/P1dn
MED:eev:ph

February 11, 2013

Senator Lehman:

Per your request and based on the Minnesota law contained in chapter 146B of the Minnesota Statutes, this draft expands the statutory licensure requirements for tattooists and body piercers and for tattoo and body-piercing establishments. Please review the draft, including the embedded notes contained therein, as well as the following questions related to material that I did not include but which you may wish to consider:

1. Please let me know which, if any, of the following provisions in the Minnesota law you would like me to add to this draft:

- a. Provisions for establishments located in private residences.
- b. Provisions for temporary events and guest artists.
- c. Continuing education requirements for practitioners.
- d. Provisions for licensure by reciprocity for individuals who hold a license in another state with requirements that meet or exceed those in Minnesota.
- e. Detailed provisions relating to health and safety standards for establishments, standards for practice of tattooists and body piercing practitioners, and standards for body art procedures themselves. Note that under current Wisconsin law, s. 252.23 (4) (b) requires DHS to promulgate rules to promote safe care and treatment and to limit exposure to disease and infection, and that these rules, many of which are similar to those under Minnesota's law, are contained in chapter DHS 173 of the Wisconsin Administrative Code.
- f. Detailed provisions for disciplinary action against licensees.
- g. Detailed provisions related to record retention for establishments. Note that rules promulgated by DHS under chapter DHS 173 of the Wisconsin Administrative Code already mandate the retention of certain records.

2. Do you want to add a delayed effective date to give the Department of Health Services time to implement the new licensure system?

3. Under current law, violators of provisions related to tattooists and body piercing may be imprisoned for not more than 30 days or fined not more than \$500 or both.

Please let me know if you want to add any special penalty provisions to any provisions created in the bill.

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